

Implementation of

Storm Water Phase II

Storm Water Phase II

- In implementing the Clean Water Act, **EPA requires *that all owners/operators of small MS4s reduce the discharge of pollutants from a regulated system to the “maximum extent practicable” to protect water quality.***

Storm Water Phase II

- **Why worry about storm water quality?**
 - ◆ Quality of life
 - ◆ Drinking water usage of some streams
 - ◆ Cleaner streets
 - ◆ Reduced Operation & Maintenance of drainage systems
 - ◆ Land preservation
 - ◆ Community aesthetics
 - ◆ Wildlife habitat

Storm Water Phase II

■ History

- ◆ 1948 Federal Water Pollution Control Act
- ◆ 1972 Clean Water Act
- ◆ 1987
 - ✓ National Pollutant Discharge Elimination System (NPDES)
 - ✓ Nonpoint Source (NPS) program

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- **Nonpoint pollution sources**
 - ◆ Urban storm water runoff
 - ◆ Agricultural runoff
 - ◆ Construction site runoff
 - ◆ Industrial site runoff

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■ Phase I review

- ◆ regulations adopted November 1990
- ◆ application began in 1992
- ◆ large & medium MS4s
- ◆ construction sites > 5 acres
- ◆ industrial activities
- ◆ exemptions
- ◆ DENR as permitting authority (1993)

Storm Water Phase II

■ Phase II

- ◆ final rule - December 8, 1999
- ◆ effective March 10, 2003
- ◆ construction activities (January 1, 2003)
- ◆ DENR as permitting authority (1993)

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■ Who has to comply?

- ◆ Local government in “urbanized” area
- ◆ Local government not in “urbanized” area
- ◆ Physical connection to covered local government
- ◆ Contributors to water body impairment
- ◆ Municipal industrial facilities
- ◆ Federal and state agency facilities

Storm Water Phase II Impacted Communities in SD

- ✓ Rapid City
- ✓ North Sioux City
- ✓ Aberdeen
- ✓ Watertown
- ✓ Brookings
- ✓ Mitchell
- ✓ Pierre
- ✓ Yankton
- ✓ Huron
- ✓ Vermillion
- ✓ Spearfish
- ✓ Sturgis
- ✓ SDDOT

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- **Who will be impacted?**
 - ◆ The development community
 - ◆ Contracting/Construction community
 - ◆ The general public
 - ◆ City government

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- **Requirements - Construction and other**
 - ◆ construction: land disturbances > 1 acre
 - ◆ separate state permit coverage
 - ◆ comply with local government requirements
 - ◆ local & state coordination

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- **Requirements - MS4s**
 - ◆ Best Management Practices(BMPS) for 6 minimum measures
 - ◆ measurable goals
 - ◆ schedule/frequency of activities
 - ◆ responsible entity
 - ◆ evaluation & assessment
 - ◆ recordkeeping
 - ◆ annual reporting

Storm Water Phase II

- **Six Minimum Control Measures**
 - ◆ Public Education & Outreach
 - ◆ Public Involvement & Participation
 - ◆ Illicit Discharge Detection and Elimination
 - ◆ Construction Site Runoff Control
 - ◆ Post-Construction Management
 - ◆ Municipal Pollution Prevention/Housekeeping

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- **Public Education & Outreach**
 - ◆ education &/or outreach program
 - ◆ storm water impacts
 - ◆ individual's efforts to reduce pollution
 - ◆ lawn and garden, household hazardous wastes, pet waste management
 - ◆ target audiences, displays, brochures, PSAs

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■ **Public Involvement/Participation**

- ◆ minimum: public notice requirements
- ◆ development, implementation, and review
- ◆ storm drain stenciling, wetland restoration, annual stream clean-up, Adopt-a-Stream
- ◆ volunteers for education, task forces, stakeholder meetings, public hearings, open houses

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- **Illicit Discharge Detection & Elimination**
 - ◆ Up-dated storm sewer mapping
 - ◆ regulatory mechanism for the prohibition of non-storm water discharges
 - ◆ program: detect and eliminate (including enforcement)
 - ◆ inform/educate public employees, businesses, and general public

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- **Illicit Discharge Detection & Elimination**
 - ◆ Household waste dumping
 - ◆ Irrigation
 - ◆ Groundwater
 - ◆ Street and parking lot wash water
 - ◆ Lawn Clippings
 - ◆ Paint washout at curb
 - ◆ Oil Change dumping at inlets or in backyard areas

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- **Construction Site Runoff Control**
 - ◆ Erosion/sediment control ordinance with sanctions for non-compliance
 - ◆ Construction site waste control requirements
 - ◆ Site plan review procedures
 - ◆ Public input procedures and opportunities
 - ◆ Site inspection and enforcement

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- **Construction Site Runoff Control**
 - ◆ Runoff Control
 - ◆ Erosion Control
 - ◆ Sediment Control
 - ◆ Good Housekeeping

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- **Post-Construction Management**
 - ◆ long term O&M (policies & procedures)
 - ◆ promote prevention vs treatment
 - ◆ adopt BMP strategies appropriate for our community
 - ◆ assess/revise existing programs and ordinances
 - ◆ watershed-based planning, wetlands, open space, buffers, vegetation, reduced impervious surface area, education

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- **Pollution Prevention/Housekeeping**
 - ◆ Operation and maintenance program
 - ◆ Employee training to prevent and reduce pollution
 - ◆ Fleet & building maintenance, MS4 maintenance, pet waste disposal, vehicle maintenance & washing, lawn care, snow disposal, parking lot and street cleaning

Storm Water Phase II

- Biggest Issues to address:

Funding source-to do this right, we will need to increase funding. The creation of the Storm Sewer Utility is a step in the right direction.

Staffing-to keep this on task, we need to have enough staff dedicated to keeping this project moving forward.